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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/986,114	11/07/2001	Akio Yamamoto	3673-0125P	4907

2292 7590 02/25/2005

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EXAMINER
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SENI, BEHROOZ M

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 02/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Advisory Action</b>	<b>Application No.</b> 09/986,114	<b>Applicant(s)</b> YAMAMOTO ET AL.	
	<b>Examiner</b> Behrooz Senfi	<b>Art Unit</b> 2613	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 14 January 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY [check either a) or b)]**

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_.

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: see response to remarks.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: 1-10.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☐ Other: \_\_\_\_\_

  
CHRIS KELLEY

**DETAILED ACTION**

***Response to Amendment***

1. Applicant's arguments filed 1/14/2005, fwd 1/28/2005 have been fully considered but they are not persuasive.

Response to remarks:

Applicant statement (remarks, page 3, filed 1/14/2005) regarding '710 application does not support the same subject matter as the '710 application, is unclear. However the features in (US 2002/0054211) are fully supported by provisional application "06/245,710".

Applicant asserts (remarks, page 5, filed 1/14/2005) that Edelson '211 does not disclose, "calculating any motion with the magnified portion of the image".

In response: Examiner respectfully disagrees, because Edelson '211 discloses "detecting the motion of the object (which is calculating the object motion), by identifying (magnifying, flagging) the object in the image (i.e. page 3, lines 8 – 19, and page 5, 15, also page 2, section 0020).

Applicant asserts (remarks, page 7, lines 1 – 3, filed 1/14/2005) that, there is no suggestion in the Yokota '530 reference to "calculate a coordinate error and use correction data to calculate ball (object) motion, as recited in claim 1".

In response: Claim 1 does not recite the limitation "calculate a coordinate error and use correction data to calculate ball (object) motion", as raised by applicant arguments.

Furthermore, as for applicant statements that Yokota '530 (remarks, page 7, lines 4 - 6, filed 1/14/2005) reference discloses "an image pickup apparatus that corrects distortion of an image due to an objective lens, not an object in an image".

In response, examiner agrees with applicant. However Yokota '530 reference is an improvement over the conventional image pickup apparatus, and as stated with regards to deficiency of the conventional image pickup apparatus (col. 2, lines 1 +) that, "electronic zooming is not very useful in photographing a moving object .....

Therefore, Yokota reference overcomes the prior deficiency by detection and consideration of the object /moving object in the process of correcting the image pickup apparatus (cols. 1 - 2, lines 65 - 30 and col. 7, lines 11 - 23) in electronic zooming.

In regards to applicant argument (remarks, page 8, lines 15 - 16, claim 6) that Yokota fails to teach, "calculating a coordinate error due to a shift of a direction of the ball image from a direction of an optical axis of the CCD camera".

In response: the features as cited above are well known and obvious over the combination teaching of Yokota and Rankin. After reading the cited references more precisely, it is noted that, the above claimed limitation clearly reads on "fig. 5, steps 64 - 69" of Ranking.